

## SEVENTY-THIRD DAY.

SENATE CHAMBER, )  
AUSTIN, TEXAS, April 10, 1883. }

Senate met pursuant to adjournment.

President in the chair.

Roll called. Quorum present.

Senator Davis moved to dispense with the reading of yesterday's journal.

Adopted.

Senator Pfeuffer, chairman of Committee on Finance, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate

Your Committee on Finance, to whom was referred substitute House bill No. 126, entitled "An act to amend article 4684 of title 95, chapter 2, of the Revised Civil Statutes, providing for the manner of assessing bankers, brokers, dealers in exchange," etc., have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

PFEUFFER, Chairman.

On motion of Senator Johnston of Shelby, Senator Houston was excused for to-day, on account of sickness.

Senator Pfeuffer, for committee of free conference on the general appropriation bill, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate, and Hon. C. R. Gilson, Speaker of the House of Representatives:

Your committee on free conference, to whom was referred for consideration the difference between the two houses on substitute House bill No. 394, in accordance with the spirit of the resolution under which they were appointed, have met together and earnestly and carefully considered and discussed said differences, and we respectfully recommend the following in relation thereto, and ask the two houses to concur in said recommendations:

Under the head of Treasury Department:

That the House concur in Senate amendment to line 24, page 3, striking out "\$3000" and inserting "\$3600."

Under head of the General Land Office:

That the House concur in the Senate amendment striking out all after "clerk," in line 17, page 5, down to and including "\$1800," in line 19, and inserting "\$2000."

That the House concur in Senate amendment inserting between lines 25 and 29, page 5, the following: "One draughtsman for compiling county maps, \$1500, \$1500."

Under head of Department of Insurance, Statistics, etc.:

That the Senate recede from its amendment, striking out, in line 14, page 7, "\$100," and inserting in lieu thereof "\$500."

Under head of Attorney-General:

That the Senate recede from its amendment striking out "\$1800," and inserting "\$2000," in line 20, page 8.

Under head of Judiciary Department:

That the House concur in Senate amendment striking out, in line 12, page 9, "\$200," and inserting "\$750," and in lines 13 and 14, striking out "\$200," and inserting "\$300," and that lines 22 and 23, page 10, be amended so as to read "\$5000, \$8000," and that both houses adopt the amendment.

Under head of Lunatic Asylum:

That the Senate recede from its amendment, inserting, line 27, "For furniture of office rooms in asylum, \$1500;" and in line 5, page 12, recede from the amendment striking out "\$400" and inserting "\$600;" and that the House concur in Senate amendment, after line 26, page 12, by inserting "One male supervisor, \$420, \$420. One female supervisor, \$360, \$360."

Under head of Department of Education:

That the House concur in Senate amendment striking out in line 32, page 13, "\$1800, \$1800," and inserting "\$2000, \$2000," and

that both houses concur in substitute for Senate amendment to lines 6 to 9 inclusive, the following: "For the payment of teachers to be employed by the State Board of Education, for the purpose of teaching a summer normal school in each senatorial district for white, and each congressional district for the colored teachers, "\$6000, \$6000," and that the Senate recede from its amendment inserting between lines 13 and 14, page 14, "for building hall or chapel for Sam Houston Normal Institute, out of the general revenue, \$5000;" and that the Senate recede from its amendment adding after line 32, page 13, "for employment of clerk when needed, \$75 per month."

Under head of Attorney-General:

That the Senate recede from its amendment striking out, in line 21, page 8, "\$1500," and inserting "\$1800."

Under head of State Department:

That the Senate recede from its amendment striking out, in line 4, page 3, "\$2400," and inserting "\$2700."

Under head of Treasury Department:

That the Senate recede from its amendment striking out, in line 21, page 3, "\$3000," and inserting "\$3600;" and that the Senate recede from its amendment to line 23, page 3, striking out "\$1200," and inserting "\$1500."

Under head of Educational Department:

That both houses concur in the following: Strike out all on pages 14 and 15 in reference to the Agricultural and Mechanical college, and insert in lieu thereof, "for the support of and maintenance of the Agricultural and Mechanical College to be expended as follows, for the year 1883 out of the general revenue, \$30,000, for the year 1884 out of the University fund, \$10,000;"

Under head of State Department:

That both houses concur in the following: After line 14, page 3, add, "to pay for advertising and submitting constitutional amendments, \$20,000, or so much thereof as may be necessary."

Under head of Penitentiaries:

That both houses concur in the following: After line 29, page 16, add, "to enable the State to resume control of the penitentiaries and operate the same on State account if necessary, and to confine as many convicts as practicable within the walls, all the proceeds of the penitentiaries, estimated to be \$350,000 for 1883, and \$350,000 for 1884, and \$100,000 for 1883, and \$100,000 for 1884, out of the general revenue."

Under head of Educational Department:

That both houses concur in the following substitute for Senate amendment, after line 28, page 14: "For surveying and designating one million of acres of land for the State University, and one million acres for the permanent school fund, the land to be selected and surveyed under the direction of the Commissioner of the General Land Office; the expenses to be paid on his warrant upon the State Treasurer, \$500; one-half to be paid out of the available university fund, and one-half to be paid out of the available school fund."

Under the head of State Department:

That both houses concur in the following: After line 14, page 3, insert "To pay salary of State Engineer for the management of railroads, \$3000, \$3000; to pay salary of the State Engineer's secretary, \$1500, \$1500; to pay other expenses incident to the railroad engineer's department, \$1000, \$1000."

We recommend that the Senate and House concur in the following amendment to line 25, page 3: Add the following words: "For Treasurer and Comptroller's Department."

Under head of Commissioner of Fish:

We recommend that the Senate and House concur in the following amendment to line 25, page 7, by adding the words "and purchase of land, to be approved by the Governor."

Also, strike out "\$500" in each line, and insert "\$1000" in first line.

Under head of Miscellaneous, page 18:

We recommend that the Senate and House concur in striking out lines 14, 15, 16 and 17, as this is already provided for by another item.

We also recommend that the Senate and House concur in the following amendment by adding after line 4, page 19, the words "The four last named appropriations to be expended under the direction

and upon the vouchers of the county judges and treasurers of the several counties where the same are intended to apply."

All of which is respectfully submitted.

GEORGE PFEUFFER,  
A. W. HOUSTON,  
JOHN C. BUCHANAN,  
Senate Committee.  
W. F. UPTON,  
B. F. FRYMIER,  
WALTER ACKER.

We concur in all of the above except that relating to the Penitentiary.

JOHN H. COCHRAN,  
J. P. AYRES,  
House Committee.

The following minority report on same bill was also submitted:

COMMITTEE ROOM,  
AUSTIN, April 9, 1883.

Hon. Marion Martin, President of the Senate, and Hon. C. H. Gibson, Speaker of the House of Representatives:

The undersigned, a minority of your committee of free conference on matters of differences between the two houses arising under the consideration of the general appropriation bill, the same being substitute House bill No. 394, beg leave to dissent from the majority of said committee on Senate amendment No. 43, which, as amended by a majority of the free conference committee, reads as follows, to-wit: "To enable the State to resume control of the penitentiaries and operate them on State account if necessary, and to confine as many convicts as practicable within the walls, all the proceeds of the penitentiaries, estimated to be \$350,000, \$350,000 and \$100,000, 100,000 out of the general revenue."

First. Because this is an increase of \$100,000 over and above the Senate amendment, which was \$350,000 for each year, and which the House, by a very decided majority, refused to concur in.

Second. Because the Superintendent of the Penitentiaries, Major Goree, was before your said committee, and from his own estimates and admissions before said committee, the profits of the proceeds of those convicts now contracted and worked outside the walls are ample and sufficient to meet all the expenses of those now confined inside the walls, without any proceeds from the labors of those confined within the walls. But he added, "That in order to profitably employ those kept inside the walls, it would be necessary to make an expenditure of money to purchase material," etc., which, according to his notions and the views of the majority of your committee (so far as we were able to get an expression), should be done on a large scale and sufficient to supply material for two years in advance, at least. We think this outlay of money would unnecessarily augment the appropriations of the present appropriation years, and debit them with a charge on the present appropriations, for which they would receive no credit, but for which succeeding years would not only receive all the credits, but would not be charged with any of the expenditures, and which would place the present administration in the attitude of extravagance, and give to its successor the benefit of all the credits arising from the proceeds of such an investment.

Third. Because, in our opinion, the abrogation of the lease did not necessarily carry with it the immediate and unconditional confinement of all the convicts within the walls, but simply meant the State shall resume control and manage her own penitentiaries, which we believe can be successfully done; at least if the lessees could pay the State a bonus of \$20,000 annually, and then make money out of the labor of the convicts, the State should certainly be competent to so manage this labor as to make it self-sustaining.

We further believe if such an excessive appropriation as this is to be made, it should be applied either to the building of a reformatory farm and school for youthful convicts or to the building of a new penitentiary, or to enlarge the old ones, with a view of providing room and proper machinery for the early confinement and working the convicts within the walls. We firmly believe that these convicts ought to be, and can be made not only self-sustaining but a source of revenue to the State, and that this appropriation is excessive and unnecessarily large. But recognizing the fact that contingencies may arise, when the proceeds of the labor of the convicts could not be made available for immediate use, we are willing to make an additional and liberal appropriation, over and above the entire proceeds of the convict labor, therefore submit the following: That the Senate and House do agree to adopt all the report of the free conference committee, as contained in the majority report, except the amendment of the majority of said committee to Senate amendment No. 43, and as a substitute for said Senate amendment and the

amendment of the majority of your committee, we recommend that the following be adopted and concurred in, to-wit:

"To enable the State to resume control of the penitentiaries, and to operate them on State account or by contract, and to confine as many convicts as practicable, within the walls, all the proceeds of the penitentiaries and \$50,000 out of the general revenue for each year, ending respectively twenty-ninth of February, 1884, and twenty-eighth of February, 1885."

All of which is respectfully submitted.

JOHN H. COCHRAN,  
J. P. AYRES,

A minority of your free conference committee.

Senator Gooch, chairman of Judiciary Committee No. 2, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate:

Your committee have had under consideration substitute House bill No. 285, entitled "An act to amend article 1075, chapter 3, title 15, of the Code of Criminal Procedure of the State of Texas, relating to fees and compensation of county judges in criminal cases," and I am instructed to recommend its passage. Its object is to allow a county judge \$3 for trying a habeas corpus case.

All of which is respectfully submitted.

GOOCH, Chairman.

Bill read first time.

Senator Patton, for Committee on Engrossed Bills, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 354, being "An act to repeal so much of an act entitled 'an act to diminish the civil and criminal jurisdiction of the county courts of Matagorda, Camp, Houston, Kerr, Mason, San Patricio, Live Oak, Donley, Young, Comal, Wilson and Atascosa,' passed at the present session of the Eighteenth Legislature, as relates to the county of Houston," and find the same correctly engrossed.

PATTON, for Committee.

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 366, being "An act to authorize the Governor to make appointments of notaries public during the vacation of the Legislature," and find the same correctly engrossed.

PATTON, for Committee.

COMMITTEE ROOM,  
AUSTIN, April 9, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 350, being "An act authorizing the refunding from the State treasury from deposits made to special funds to parties who may have paid the same in error, and who may have received no consideration therefor;" also, Senate bill No. 359, "An act to amend an act amendatory of title 83, and of the supplement thereto, of the Revised Civil Statutes," and find the same correctly engrossed.

PATTON, for Committee.

The following message was received from the House:

HALL HOUSE OF REPRESENTATIVES,  
AUSTIN, April 10, 1883.

Mr. President:

I am instructed to inform the Senate that the House has passed Senate bill No. 103, "An act to amend section 7 of an act entitled 'an act to give effect to section 2, article 9, of the Constitution, regulating the manner of removing and locating county seats, and to provide for the location of county seats in organized counties where no county seat has been created by existing law,' approved April 10, 1879."

Senate bill No. 134, "An act to authorize Christian Jordan to sue the State of Texas,"

Senate bill No. 152, "An act to amend chapter 4, title 12, of the Penal Code by adding thereto articles 403a, 403b and 403c."

Respectfully,

J. W. BOOTH,  
Chief Clerk.

Senator Fleming presented a petition to the Legislature by the citizens of Pecos county, asking for the formation of a new county, to be called Toyah county, which was referred to the Committee on Counties and County Boundaries.

Senator Gooch offered the following resolution:

*Resolved*, That the chairman of the Committee on Enrolled Bills is authorized to employ such clerical force as may be necessary to expeditiously enroll all bills that may be passed into laws, and the certificate of said chairman of Committee on Enrolled Bills, together with the approval of the President of the Senate, authorize the Treasurer to pay for such service.

Adopted.

Senator Pfeuffer moved to postpone regular order of business and take up the appropriation bill.

Adopted.

Senator Johnston of Shelby moved to adopt the majority report of the free conference committee.

Which was adopted by the following vote:

YEAS—17.

Buchanan,	Gooch,	Perry,
Chesley,	Johnston of Shelby,	Pfeuffer,
Collins,	King,	Randolph,
Cooper,	Kleberg,	Stratton,
Fleming,	Matlock,	Taylor.
Getzendaner,	Peacock,	

NAYS—10.

Davis,	Harris,	Patton,
Evans,	Johnson of Collin,	Shannon,
Farrar,	Martin,	Terrell.
Gibbs,		

The following reasons for voting for the adoption of the free conference report on the general appropriation bill (No. 394), were ordered printed in the journal:

We vote for the adoption of the free conference report on the general appropriation bill, for these reasons: Although we object to many of its items, because they are too large, and in some instances extravagant; and although some items should not be made at all, we cannot vote against one item without voting against the whole bill, and to vote against the bill and defeat it, will create the necessity of an immediate extra session, and incur the expense incident thereto. While on the other hand the Governor can veto any one or more specific items, and the balance of the bill will remain in force, and this seems to us to be the most prudent course to take.

JOHN YOUNG GOOCH,  
J. H. TRAYLOR.

My chief objection to the report is the appropriation of \$200,000 to enable the State to resume control and operate the penitentiaries. This sum is in addition to \$700,000 also appropriated for the next two years to that purpose, and which amount, it is estimated, will be received from convict labor. These items being in the general appropriation bill, I would still vote for it if I thought my vote were needed to pass it, rather than have other necessary appropriations defeated. But I cannot, by my vote, admit that the Penitentiary Board would work over two thousand convicts at a loss to the State of two hundred thousand dollars. Nor can I vote for an item of \$50,000 to enable the State to settle with the late lessees for their loss in operating convicts for the last few months. Their course gives me no reason to believe that they thought they were losing money by their contract. I vote "no."

TERRELL.

On motion of Senator Peacock, regular order of business was suspended and House bill No. 295, "An act to amend article 1059, chapter 3, title 15, of the Code of Criminal Procedure of the State of Texas," was taken up, read the third time and passed.

A message was received from the House announcing the passage by that body of the following bills:

Senate bill No. 323, "An act to amend articles 122, 129, 137 and 138 of 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed March 17, 1879, and to amend articles 130 and 132 of the Revised Civil Statutes of the State of Texas, as amended and approved April 17, 1879, and to add article 130a."

Senate bill No. 42, "An act to amend chapter 3, of title 17, of the Penal Code, by adding another article relating to trespass upon enclosed lands and to punish the same."

House substitute for Senate bill No. 157, "An act to amend section 2 of an act entitled 'an act to amend articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create article 426L, and to repeal article 430, of chapter 5, title 13, of the Penal Code, for the protection of fish and game,' approved March 15, 1881."

Substitute House bill No. 483, "An act making appropriation for deficiencies in the appropriations heretofore made for payment of expenses in support of the government from March 1, 1882, to February 28, 1883, being for payment for claims registered in the Comptroller's Office in accordance with law, and for outstanding claims not registered, and other deficiencies."

The following message was received:

HALL HOUSE OF REPRESENTATIVES,  
AUSTIN, April 6, 1883.

Mr. President:

I am instructed to inform your honorable body that the House has concurred in Senate amendments to House bill No. 282, and House bill No. 489. Also that House substitute for Senate bill No. 157 is returned to the Senate, the House having concurred in the first amendment and having refused to concur in the second amendment to said bill. Also, that the House has defeated and returns to the Senate Senate bill No. 42, "An act to amend chapter 3, title 17, of the Penal Code, by adding another article." Also that the House has passed by a two-thirds vote under suspension of the rule Senate bill No. 326, "An act to amend articles 122, 129, 137 and 138, Revised Civil Statutes. Also that the House has passed substitute House bill No. 483, known as the deficiency appropriation bill, by a majority vote.

Respectfully,

J. W. BOOTH,  
Chief Clerk.

On motion of Senator Johnson of Collin, the regular order of business was suspended, and

Senate bill No. 337, "An act to amend title 48, chapter 3, article 2763, of the Revised Civil Statutes, and fixing the bond of the State Treasurer at five hundred thousand dollars," was taken up, read second time, and committee amendments adopted by the following vote:

YEAS—15.

Chesley,	Gibbs,	Pfeuffer,
Collins,	Martin,	Randolph,
Davis,	Matlock,	Shannon,
Farrar,	Patton,	Terrell,
Getzendaner,	Peacock,	Traylor.

NAYS—5.

Fleming,	Johnson of Collin,	Kleberg,
Harris,	King,	Perry.

Senator Traylor offered to amend by striking out "\$250,000" and insert "\$75,000."

Lost by the following vote:

YEAS—8.

Cooper,	Matlock,	Terrell,
Davis,	Pfeuffer,	Traylor.
Martin,	Stratton,	

NAYS—17.

Chesley,	Gibbs,	Patton,
Collins,	Harris,	Peacock,
Farrar,	Johnson of Collin,	Perry,
Fleming,	Johnson of Shelby,	Randolph,
Fowler,	King,	Shannon.
Getzendaner,	Kleberg,	

Senator Matlock moved to amend by striking out "\$250,000" and insert "\$100,000."

Lost by the following vote:

YEAS—10.

Cooper,	Martin,	Stratton.
Davis,	Matlock,	Terrell,
Evans,	Pfeuffer,	Traylor.
Johnston of Shelby,		

NAYS—15.

Chesley,	Gibbs,	Patton,
Collins,	Harris,	Peacock,
Farrar,	Johnson of Collin,	Perry,
Fleming,	King,	Randolph,
Getzendaner,	Kleberg,	Shannon.

Senator Traylor offered the following amendment:

Amend by striking out "\$250,000" and insert "\$150,000."

Senator Chesley moved the previous question on bill and amendment.

Motion seconded.

The Senate refused to order main question.

Senator Traylor's amendment was lost by the following vote:

YEAS—9.

Davis,	Matlock,	Shannon,
Evans,	Peacock,	Terrell,
Johnston of Shelby,	Pfeuffer,	Traylor.

NAYS—15.

Chesley,	Getzendaner,	Kleberg,
Collins,	Gibbs,	Martin,
Cooper,	Harris,	Patton,
Farrar,	Johnson of Collin,	Perry,
Fleming,	King,	Randolph.

Senator Davis offered the following amendment:

Add section —: "This act shall not take effect before the next general election."

Adopted, and bill ordered engrossed by the following vote:

YEAS—18.

Chesley,	Gibbs,	Matlock.
Collins,	Gooch,	Patton,
Evans,	Harris,	Perry,
Farrar,	Johnson of Collin,	Pfeuffer,
Fleming,	King,	Randolph,
Getzendaner,	Kleberg,	Shannon.

NAYS—8.

Buchanan,	Johnston of Shelby,	Terrell,
Cooper,	Martin,	Traylor.
Davis,	Peacock,	

Senator Johnson moved a further suspension of the rules to place the bill on its third reading.

The Senate refused to suspend the rules by the following vote:

YEAS—19.

Chesley,	Gibbs,	Patton,
Collins,	Gooch,	Perry,
Evans,	Harris,	Pfeuffer,
Farrar,	Johnson of Collin,	Randolph.
Fleming,	King,	Shannon,
Fowler,	Kleberg,	Stratton.
Getzendaner,		

NAYS—9.

Buchanan,	Johnston of Shelby,	Peacock,
Cooper,	Martin,	Terrell,
Davis,	Matlock,	Traylor.

The following message was received from the House of Representatives:

HALL OF HOUSE OF REPRESENTATIVES,  
AUSTIN, April 10, 1883.

Mr. President:

I am instructed to inform the Senate that the House has passed, under a suspension of the constitutional rule, the following bills: Senate bill No. 286, "An act to authorize the Commissioner of the General Land Office to issue patents, now suspended for want of reports of county clerks," passed by a two-thirds vote; ayes, 85.

Also, substitute Senate bill No. 305, "An act to amend 'an act to adopt and establish the Revised Civil Statutes of the State of Texas, by adding thereto article 4420a,' with an amendment, by a two-thirds vote; ayes, 83.

J. W. BOOTH,  
Chief Clerk.

The President signed House substitute for Senate bill No. 189, "An act to provide for the permanent endowment in land, or its proceeds, the University of Texas and its branches, including the branch for the instruction of colored youths, and also to provide for an equal endowment for the benefit of the permanent common free schools of the State."

House bill No. 489, "An act to prevent the adulteration of food, wines, beer, fermented or distilled liquors and drugs."

House bill No. 395, "An act for the relief of the heirs of Gen. Mosely Baker, deceased."

House bill No. 466, "An act to amend article 795, chapter 17, of the Penal Code."

House bill No. 539, "An act to amend article 784, of chapter 15, title 17, of the Penal Code."

House bill No. 443, "An act for the relief of the heirs of Jno. W. Thomson, who fell at the storming of the Alamo, on sixth day of March, 1836."

House bill No. 482, "An act to establish uniform weights per bushel of wheat, corn, and other products of the State."

Substitute House bill No. 456, "An act to fix the fees of the Department of State, and require the collection of the same."

Senator Farrar moved to suspend the regular order of business and take up Senate substitute for House bill No. 528, "An act to create a land board with authority to investigate alleged land frauds, and to authorize the institution of suits in the name of the State to cancel purchases in certain cases illegally and improperly made under 'an act to provide for the sale of alternate sections of land in organized counties as surveyed by railroad companies, and other works of internal improvement, and set apart for the benefit of the common school fund,' approved July 8, 1879, and an act amendatory thereto, approved April 6, 1881," with House amendments.

Adopted, and bill taken up.

Senator Gooch moved a call of the Senate.

Call seconded.

Roll called.

Absent, Senator Pope.

Senator Patton moved to excuse Senator Pope.

The Senate refused to excuse the absent Senator by the following vote:

YEAS—17.

Buchanan,	Gibbs,	Peacock,
Chesley,	Harris,	Perry,
Evans,	Johnson of Collin,	Pfeuffer,
Farrar,	King,	Stratton,
Fowler,	Kleberg,	Terrell.
Getzendaner,	Patton,	

NAYS—10.

Collins,	Gooch,	Matlock,
Cooper,	Johnson of Shelby,	Shannon,
Davis,	Martin,	Traylor.
Fleming,		

Pending business went to the table.

The following message was received from the House:

HALL OF HOUSE OF REPRESENTATIVES,  
AUSTIN, April 10, 1883.

Mr. President:

I am instructed to inform the Senate that the House has passed, with an amendment, Senate bill No. 178, "An act entitled 'an act to amend article 722 of the Penal Code;'" also Senate bill No. 206, "An act to amend article 1056, chapter 2, title 15, of the Code of Criminal Procedure," passed by a two-thirds vote, ayes, 85; also, Senate bill No. 217, "An act to amend chapter 93 of the acts of 1881, of 'an act to amend section 46 of an act to encourage stockraising and to protect stockraisers,' approved April 22, 1879, and amended April 4, 1881."

J. W. BOOTH,  
Chief Clerk.

Senator Davis moved to suspend the regular order of business and take up Senate bill No. 363, "An act to amend article 1005 of the Revised Statutes of Texas."

The Senate refused to suspend the regular order of business by the following vote:

YEAS—19.

Davis,	Gibbs,	Martin,
Evans,	Harris,	Perry,
Farrar,	Johnston of Collin,	Shannon,
Getzendaner,	Kleberg,	Stratton.

NAYS—5.

Buchanan,	Gooch,	Peacock.
Chesley,	Johnston of Shelby,	Pfeuffer,
Collins,	King,	Terrell,
Cooper,	Matlock,	Traylor.
Fleming,		

The special order for this hour being the consideration of substitute House bills Nos. 101, 143, 181, 216, 372, 375 and 391, "An act to amend articles 3759, 3762, 3766, 3768, and to repeal article 3758, of chapter 3, title 78, of the Revised Civil Statutes of the State of Texas," was taken up in its regular order.

On motion of Senator Harris, the further consideration of the bill was indefinitely postponed by the following vote:

YEAS—17.

Buchanan,	Getzendaner,	Perry,
Chesley,	Gooch,	Pfeuffer,
Collins,	Harris,	Shannon,
Cooper,	Johnston of Shelby,	Terrell,
Evans,	King,	Traylor.
Fleming,	Peacock,	

NAYS—8.

Farrar,	Kleberg,	Randolph.
Gibbs,	Martin,	Stratton.
Johnson of Collin,	Matlock,	

On motion of Senator Kleberg, Senator Davis was indefinitely excused from this morning.

Senator Matlock moved to suspend the regular order of business and take up Senate bill No. 103, "An act to amend section 7 of an act entitled 'an act to give effect to section 2, article 9, of the Constitution, regulating the manner of removing and locating county seats, and to provide for the location of county seats in organized counties, where no county seat has been created by existing law,' approved April 10, 1879," with House amendment.

Adopted, and bill taken up.

On motion of Senator Matlock, the Senate concurred in the House amendment.

Senator Cooper moved to suspend the regular order of business, and take up Senate bill No. 157, "An act to amend section 2 of an act entitled 'an act to amend articles 423, 424, 425, 426, 427, 428, 429 and 430, and to create article 426, and to repeal article 430, of chapter 5, title 13, of the Penal Code, for the protection of fish and game,' ap-

proved March 15, 1881," in the Senate amendment to which the House refused to concur.

Senator Cooper moved that the Senate recede from its amendment.

Senator Martin moved that the Senate insist on its amendments, and asked for a free conference committee to settle the disagreement.

Adopted.

The President appointed on said committee Senators Martin, Farrar and Cooper.

Senator Cooper, Chairman of Committee on Enrolled Bills, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, April 9, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 327, being "An act to amend articles 1006, 1007 and 1008 of the Revised Civil Statutes of the State of Texas, approved February 21, 1879," and find the same correctly enrolled, have this day, at 11:25 o'clock a. m., presented the same to the Governor for his approval.

COOPER, Chairman.

COMMITTEE ROOM,  
AUSTIN, April 9, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 323, being "An act to redistrict the State into judicial districts and prescribe the times of holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday in November, A. D. 1882," and find the same correctly enrolled, and have this day, at 11:45 o'clock a. m., presented the same to the Governor for his approval.

COOPER, Chairman.

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 125, being "An act to amend section 1 of an act entitled 'an act to provide for traveling expenses of the quartermaster and commissary of the frontier battalion,' approved May 4, 1874," and find the same correctly enrolled, and have this day, at 11:45 o'clock a. m., presented the same to the Governor for his approval.

COOPER, Chairman.

Senator Gooch moved a call of the Senate.

Call seconded.

Roll called.

The Senate was announced full, and the consideration of Senate substitute for House bill No. 528, "land fraud bill," was resumed, with the House amendments.

Senator Farrar moved that the Senate concur in the House amendments.

The following message was received from the House:

HALL OF HOUSE OF REPRESENTATIVES,  
AUSTIN, April 10, 1883.

Mr. President:

I am instructed to inform the Senate that the House has passed Senate bill No. 341, "An act amendatory of 'an act to incorporate the city of Austin,' approved April 5, 1873," under a suspension of the constitutional rule, by a two-thirds vote, ayes 74; nays 6.

J. W. BOOTH,  
Chief Clerk.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
AUSTIN, April 10, 1883.

To the Senate:

GENTLEMEN: I respectfully request your advice and consent to the appointments of the notaries public named in the papers hereto attached.

I also request your consent to the appointment of Dr. T. D. Wooten and M. W. Garnett to be regents of the university; and to

the appointment of George Stowe, to be one of the pilot commissioners at Brazos Santiago, vice James Selkirk, deceased.

Respectfully,

JOHN IRELAND, Governor.

Austin county—J. H. Krancher.  
 Angelina county—W. J. Townsend and J. D. Gann.  
 Anderson county—W. H. Gill.  
 Bosque county—W. A. Culberson, D. J. Spurlock and John H. Moses.  
 Baylor county—Richard Lomax.  
 Brown county—P. H. Clemens.  
 Blanco county—Jno. W. Speer.  
 Burnett county—Norton Moses, C. C. Stewart, Albert Gieseke.  
 Callahan county—J. E. Thomas, A. W. Oliver.  
 Coryell county—J. T. Meek, Hopkins L. Turney.  
 Cameron county—Chas. F. Tilgham.  
 Crosby county—Paris Cox.  
 Cass county—Alf. Harrell, James H. Frost, John C. Hutchinson, Aquilla Miles, J. E. Grant, J. L. Whittle and M. R. Abernathy.  
 Comal county—C. A. Groos.  
 Cook county—W. G. Daniels, (in place of F. A. Stevens, left the county).  
 Collin county—J. L. Franklin (vice George C. Mountcastle, resigned), W. L. Boyd, and Leland Franklin.  
 Clay County—J. C. Chessnutt (in case of vacancy), and G. B. Ochiltree, (succeeds J. R. McMullen, left county).  
 Donley county—James T. Otey and W. D. Kimball.  
 El Paso county—M. F. Patterson.  
 Erath county—J. D. St. Clair.  
 Fannin county—Thos. D. Baker (to be appointed in case of one resigning) and James C. Evans (struck off but to be put in).  
 Grimes county—J. G. McDonald.  
 Grayson county—W. M. Williams, vice H. O. Head, resigned.  
 Gregg county—T. A. Flewellen.  
 Howard county—S. H. C. wan, T. G. Andrews, F. W. Heyne and T. W. Wampler.  
 Hall county—L. R. Dyer.  
 Hays county—W. F. Barbee.  
 Jones county—Rowan Green and L. M. Buie.  
 Jefferson county—J. W. Dorman.  
 Jack county—Thomas D. Sporer.  
 Johnson county—B. C. Jarrard.  
 Jackson county—Geo. A. Staples.  
 Jasper county—J. R. Faircloth, V. P. Huffman, G. W. Rawles and R. M. Sanders.  
 Kinney county—Geo. A. Doogan.  
 Kaufman county—W. H. Allen, Terrell; H. W. Kyser (in place of J. M. Reagan, resigned.)  
 Lamar county—Austin Pollard.  
 Leon county—Tom G. Nixon and Henry K. Farrar.  
 Lubbock county—C. B. Clark.  
 Lavaca county—O. C. Searcy.  
 Mitchell county—H. L. Beniley, Frank Lester, C. W. Merrill and J. E. Hooper.  
 McLennan county—G. W. Kincheloe (in place of R. H. Kingsbury, sr.), and Jas. I. Moore (in place of John T. Walton.)  
 Nolan county—J. Taylor Bradley, P. M. Thurmond and R. A. Ragland.  
 Nueces county—John M. Swisher, jr., J. W. Ward, F. E. MacMaur (McManuus) and M. T. Gaffney.  
 Newton county—L. B. Clark, J. R. Lee, D. J. Lee, John Wright, Edd Farr and J. J. Windam.  
 Navarro county—A. B. Lee (in place of H. A. A. Halbert resigned.)  
 Nacogdoches county—H. V. Fall, J. N. Wilson and J. K. Lloyd.  
 Parker county—Chas. Soward and C. W. McGehee.  
 Panola county—B. D. Holland and J. H. Leslie.  
 Robertson county—J. J. Kendrick.  
 Shackelford county—George T. Reynolds, C. K. Stribling and Peter Hart.  
 Smith county—R. K. Bradshaw.  
 Taylor county—S. P. Cunningham and K. V. Northington.  
 Tom Green county—Wendell Spence.  
 Tyler county—W. E. Rotan and T. D. Rock.  
 Waller county—Jno. M. Pinkney and D. A. Starkes.  
 Wise county—  
 Upshur county—Sterl Hart.  
 Young county—A. B. Gant.

On motion of Senator Kleberg, the Senate adjourned till 3 o'clock p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President in the chair.

Roll called. Quorum present.

Senator Getzendaner, chairman of Committee on Counties and County Boundaries, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 367, entitled "An act to create and provide for the organization of the county Toyah," have had the same under consideration, and I am instructed by a majority of your committee to report the same back with the following amendment, and to recommend that the bill, with the amendment, do pass.

The creation of the county is asked for by a petition containing quite a number of names, embracing those of some of the county officers of Pecos county.

All of which is respectfully submitted.

GETZENDANER, Chairman.

## COMMITTEE AMENDMENT.

Add to section 3 as follows: "The election returns shall be made to the county judge of Pecos county, who shall issue certificates to the persons elected, and shall approve the bonds of such officers and shall administer to them the oath of office."

Bill read first time.

The following message was received from the House:

HALL HOUSE OF REPRESENTATIVES,  
AUSTIN, April 10, 1883.

Mr. President:

I am instructed to inform the Senate that the House has passed substitute House bill No. 290, "An act to amend article 4227, title 84, chapter 10, of the Revised Civil Statutes of the State of Texas."

Respectfully,

J. W. BOOTH,  
Chief Clerk.

Senator Evans moved that the Senate go into executive session after morning call to-morrow, on appointments of the Governor.

Adopted.

Senate substitute for House bill No. 528, "An act to create a land board, with authority to investigate alleged land frauds, and to authorize the institution of suits in the name of the State to cancel purchases in certain cases illegally and improperly made under 'an act to provide for the sale of alternate sections of land in organized counties, as surveyed by railroad companies and other works of internal improvement, and set apart for the benefit of the common school fund,' approved July 8, 1879, and an act amendatory thereof, approved April 6, 1881," was taken up with House amendments.

Senator Gooch moved a call of the Senate.

Call seconded.

Roll called.

Senate full.

The pending question was the motion of Senator Farrar to concur in House amendments.

Senator Fleming called for a division.

First House amendment concurred in by the following vote:

YEAS—15.

Buchanan,	Gibbs,	Peacock,
Chesley,	Harris,	Perry,
Farrar,	Johnson of Collin,	Pfeuffer,
Fowler,	Kleberg,	Randolph,
Getzendaner,	Patton,	Stratton.

## NAYS—13.

Collins,	Gooch	Matlock,
Cooper,	Johnston of Shelby,	Pope,
Davis,	King,	Shannon,
Evans,	Martin,	Traylor.
Fleming,		

Senators Terrell and Jones were paired on the question. The former would have voted "aye," the latter "no."

The Senate refused to concur in the second amendment by the following vote:

## YEAS—13.

Buchanan,	Gibbs,	Patton,
Chesley,	Harris,	Peacock,
Farrar,	Johnson of Collin,	Randolph,
Fowler,	Kleberg,	Stratton.
Getzendaner,		

## NAYS—16.

Collins,	Johnston of Shelby,	Pfeuffer,
Cooper,	King,	Pope,
Davis,	Martin,	Shannon,
Evans,	Matlock,	Terrell,
Fleming,	Perry,	Traylor.
Gooch,		

The question being on the motion to concur in third House amendment, the vote was taken and stood as follows:

## YEAS—14.

Buchanan,	Harris,	Perry,
Chesley,	Johnson of Collin,	Pfeuffer,
Farrar,	Kleberg,	Randolph,
Fowler,	Patton,	Stratton.
Gibbs,	Peacock,	

## NAYS—14.

Collins,	Getzendaner,	Matlock,
Cooper,	Gooch,	Pope,
Davis,	Johnston of Shelby,	Shannon,
Evans,	King,	Traylor,
Fleming,	Martin,	

Senators Terrell and Jones were paired on this vote. The former would have voted "aye" and the latter "no."

The vote being a tie, the President voted "no," and the Senate refused to concur.

The Senate refused to concur in fourth House amendment by the following vote:

## YEAS—12.

Buchanan,	Getzendaner,	Patton,
Chesley,	Harris,	Peacock,
Farrar,	Johnson of Collin,	Perry,
Fowler,	Kleberg,	Randolph.

## NAYS—16.

Collins,	Gooch,	Pfeuffer,
Cooper,	Johnston of Shelby,	Pope,
Davis,	King,	Shannon,
Evans,	Martin,	Stratton,
Fleming,	Matlock,	Traylor.
Gibbs,		

On motion of Senator Farrar, a committee of free conference was appointed, consisting of Senators Farrar, Traylor and Collins on the part of the Senate, to settle disagreements on said bill.

On motion of Senator Matlock, Senate bill No. 317, "An act to authorize the purchase of bridges in the name and for the use of counties, and to provide for the payment thereof," was taken up and read second time.

Senator Pfeuffer offered the following amendments:

Insert in section 4, line 11, "twenty," and in section 12, "five."

Adopted.

And section 7, as follows: "The near approach of the

close of the session makes it an imperative public necessity that the constitutional rule requiring this bill to be read on three several days be suspended, and that this act take effect and be in force from and after its passage; and it is so enacted."

Adopted.

Senator Martin moved to amend by striking out that portion of the bill which authorizes the levy of a special tax.

Adopted, and bill ordered engrossed by the following vote:

## YEAS—21.

Chesley,	Harris,	Peacock,
Collins,	Johnson of Collin,	Perry,
Evans,	King,	Pfeuffer,
Farrar,	Kleberg,	Pope,
Getzendaner,	Martin,	Shannon,
Gibbs,	Matlock,	Terrell,
Gooch,	Patton,	Traylor.

## NAYS—3.

Fowler,	Johnston of Shelby,	Randolph.
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On motion of Senator Pfeuffer, rules were suspended to place the bill on its third reading by the following vote:

## YEAS—22.

Chesley,	Gooch,	Patton,
Collins,	Harris,	Peacock,
Davis,	Johnson of Collin,	Perry,
Evans,	King,	Pfeuffer,
Farrar,	Kleberg,	Pope,
Fowler,	Martin,	Randolph,
Getzendaner,	Matlock,	Traylor.
Gibbs,		

## NAYS—2.

Johnston of Shelby,	Shannon.
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Bill read third time and passed.

Senator Gibbs moved to reconsider the vote by which the Senate adopted the majority report on the general appropriation bill.

Senator Johnston of Shelby moved a call of the Senate.

Call seconded.

Roll called.

Absent, Senators Fleming and Stratton.

Pending business went to the table.

Senator Cooper, chairman of Committee on Enrolled Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate concurrent resolution No. 2, "Concurrent resolution revoking and cancelling the lease of the penitentiaries of the State of Texas," and find the same correctly enrolled, and have this day, at 5 o'clock p. m., presented the same to the Governor for his approval.

COOPER, Chairman.

Senator Cooper moved to adjourn until to-morrow morning at 10 o'clock.

Lost by the following vote:

## YEAS—13.

Buchanan,	Kleberg,	Peacock,
Cooper,	Martin,	Pfeuffer,
Fleming,	Matlock,	Pope,
Gooch,	Patton,	Stratton.
Johnston of Shelby,		

## NAYS—16.

Chesley,	Getzendaner,	Perry,
Collins,	Gibbs,	Randolph,
Davis,	Harris,	Shannon,
Evans,	Johnson of Collin,	Terrell,
Farrar,	King,	Traylor.
Fowler,		



Senate bill No. 42, "An act to amend chapter 3, of title 17, of the Penal Code, by adding another article relating to trespass upon enclosed lands, and to punish the same," was taken up out of its regular order, and,

On motion of Senator Gooch, the House amendment concurred in.

Senator Davis moved to excuse Senator Stratton for the evening.

Motion lost by the following vote:

## YEAS—14.

Chesley,	Harris,	Perry,
Davis,	Johnson of Collin,	Pope,
Farrar,	King,	Shannon,
Gibbs,	Kleberg,	Traylor.
Gooch.	Martin,	

## NAYS—13.

Buchanan,	Getzendaner,	Peacock,
Cooper,	Johnson of Shelby,	Pfeuffer,
Evans,	Matlock,	Randolph,
Fleming,	Patton,	Terrell.
Fowler,		

On motion of Senator Gooch, Senate bill 305, "An act to amend 'an act to adopt and establish the Revised Civil Statutes of Texas, by adding thereto article 4420a'" was taken up with House amendment.

On motion of Senator Gooch, the Senate concurred in the House amendment.

Senator Johnston of Shelby moved to suspend the regular order of business and take up Senate bill No. 367, "An act to create and provide for the organization of the county of Toyah."

Adopted, and bill taken up.

On motion of Senator Johnston of Shelby, the constitutional rule was suspended to place bill on its second reading, by the following vote:

## NAYS—28.

Buchanan,	Gibbs,	Peacock,
Chesley,	Gooch,	Perry,
Collins,	Johnson of Collin,	Pfeuffer,
Cooper,	Johnson of Shelby,	Pope,
Davis,	King,	Randolph,
Evans,	Kleberg,	Shannon,
Farrar,	Martin,	Stratton,
Fleming,	Matlock,	Terrell,
Fowler,	Patton,	Traylor.
Getzendaner,		

## YEAS—1.

Harris.

Bill read second time.

On motion of Senator Fleming, the committee amendment was adopted.

Senator Fleming offered the following amendments:

Strike out the word "Toyah" and insert "Reeves," so as to name the county after the late Speaker of the House of Representatives.

Adopted.

"SEC. 5. That the said new county shall be added to the thirty fourth judicial district and shall be attached to Pecos county for judicial purposes until organized under the provisions of this act, and when so organized the district judge of said district shall fix the terms of holding the court therein in accordance with existing laws."

And change number of last section from 5 to 6.

Adopted, and bill, as amended, ordered engrossed.

Senator Fleming moved to further suspend the rules and place bill on its third reading.

Adopted by the following vote:

## YEAS—24.

Buchanan,	Getzendaner,	Patton,
Collins,	Gibbs,	Peacock,
Cooper,	Gooch,	Perry,
Davis,	Johnson of Collin,	Pope,
Evans,	Johnson of Shelby,	Shannon,
Farrar,	King,	Stratton,
Fleming,	Kleberg,	Terrell,
Fowler,	Matlock,	Traylor.

## NAYS—none.

Bill read third time and passed by the following vote:

## YEAS—25.

Collins,	Gooch,	Peacock,
Cooper,	Johnson of Collin,	Perry,
Davis,	Johnson of Shelby,	Pope,
Evans,	King,	Randolph,
Farrar,	Kleberg,	Shannon,
Fleming,	Martin,	Stratton,
Fowler,	Matlock,	Terrell,
Getzendaner,	Patton,	Traylor.
Gibbs,		

## NAYS—none.

Senator Kleberg moved to suspend the regular order of business and take up House bill No. 525, "An act to remove the civil disabilities of Willie E. Harper, a minor."

Adopted, and bill taken up, read second time, with unfavorable committee report.

The Senate refused to pass to third reading by the following vote:

## YEAS—6.

Fleming,	Kleberg,	Pope,
Gibbs,	Perry,	Stratton.

## NAYS—19.

Buchanan,	Getzendaner,	Matlock,
Chesley,	Gooch,	Patton,
Collins,	Harris,	Peacock,
Cooper,	Johnson of Collin,	Randolph,
Davis,	Johnson of Shelby,	Shannon,
Evans,	King,	Traylor.
Fowler,		

The President gave notice of signing Senate concurrent resolution No. 2, "Revoking the penitentiary leases."

Senator Shannon, at the request of Senator Kleberg, entered a motion to reconsider the vote refusing to pass House bill No. 525, "For the removal of civil disabilities of Willie E. Harper," to its third reading.

Senator Gooch, chairman of Judiciary Committee No. 2, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 10, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2 have had under consideration Senate bill No. 368, entitled "An act to provide for the election of a district attorney in the twelfth judicial district at the next general election," and a majority instruct me to report the same to the Senate and recommend its passage.

GOOCH, Chairman.

Bill read first time.

Senator Fowler moved to suspend the regular order of business and take up Senate bill No. 178, "An act to amend article 722 of the Penal Code," with House amendment.

Senator Fowler moved that the Senate concur in House amendment.

Adopted, and amendment concurred in.

On motion of Senator Gooch, House bill No. 483, the deficiency bill, was ordered printed, and made the special order after morning call to-morrow.

The following message was received from the House:

HALL OF HOUSE OF REPRESENTATIVES,  
AUSTIN, April 10, 1883.

Mr. President:

I am instructed to inform the Senate that the House has substituted the minority report for the majority report of the free confer



ence committee on the differences between the two houses on substitute House bill No. 394, known as the "general appropriation bill," and that the House has adopted said minority report.

Respectfully,

J. W. BOOTH,  
Chief Clerk.

On motion of Senator Johnston of Shelby, the Senate adjourned till 9 o'clock to-morrow morning.

#### SEVENTY-FOURTH DAY.

SENATE CHAMBER, }  
AUSTIN, TEXAS, April 11, 1883. }

The Senate met pursuant to adjournment.

The President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Harris, the reading of yesterday's journal was dispensed with.

Senator Davis presented a petition of the teachers of Harris county, asking relief.

Referred to Committee on Education.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 11, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 337, being "An act to amend title 48, chapter 3, article 2763, of the Revised Civil Statutes, and fixing the bond of the State Treasurer at two hundred and fifty thousand dollars;" also, Senate bill No. 367, "An act to create and provide for the organization of the county of Reeves," and find the same correctly engrossed.

MARTIN, Chairman.

The hour having arrived for the executive session,

Senator Gibbs moved to suspend regular order of business and take up Senate bill No. 333, "An act ceding to the United States government exclusive jurisdiction over certain property in the city of Dallas, for the purpose of erecting a public building thereon," being a bill passed by both houses of the Legislature and vetoed by the Governor.

Senator Gibbs moved the passage of the bill over the veto of the Governor.

Bill passed by the following vote:

YEAS—22.

Chesley,	Gooch,	Matlock,
Cooper,	Harris,	Peacock,
Davis,	Johnston of Collin,	Perry,
Evans,	Johnston of Shelby,	Pope,
Fleming,	King,	Shannon,
Fowler,	Kleberg,	Stratton,
Getzenaner,	Martin,	Terrell.
Gibbs,		

NAYS—none.

On motion of Senator Martin, the Senate went into executive session.

IN SENATE.

On motion of Senator Gooch, the Secretary was directed to inform the Governor that the Senate advises and consents to the following appointments, and to have the same printed in the journal:

Dr. T. D. Wooten and M. W. Garnett to be regents of the university, and George Stowe to be one of the pilot commissioners at Brazos Santiago.

Also the following to be notaries public:

Austin county—J. H. Krancher.

Angelina county—W. J. Townsend and J. D. Gann.

Anderson county—W. H. Gill.

Bosque county—W. A. Culberson, D. J. Spurlock and John H. Moses.

Baylor county—Richard Lomax.

Brown county—P. H. Clemens.

Blanco county—Jno. W. Speer.

Burnet county—Norton Moses, C. C. Stewart, Albert Gieseke.

Callahan county—J. E. Thomas, A. W. Oliver,

Coryell county—J. T. Meek, Hopkins L. Turney.

Cameron county—Chas. F. Tilgham.

Crosby county—Paris Cox.

Cass county—Alf. Harrell, James H. Frost, John C. Hutchinson, Aquilla Miles, J. E. Grant, J. L. Whittle and M. R. Abernathy.

Comal county—C. A. Groos.

Cook county—W. G. Daniels, (in place of F. A. Stevens, left the county).

Collin county—J. L. Franklin (vice George C. Mountcastle, resigned), W. L. Boyd, and Leland Franklin.

Clay county—J. C. Chessnutt (in case of vacancy), and G. B. Ochiltree, (succeeds J. R. McMullen, left county).

Donley county—James T. Otey and W. D. Kimball.

El Paso county—M. F. Patterson.

Erath county—J. D. St. Clair.

Fannin county—Thos. D. Baker (to be appointed in case of one resigning) and James C. Evans (struck off but to be put in).

Grimes county—J. G. McDonald.

Grayson county—W. M. Williams, vice H. O. Head, resigned.

Gregg county—T. A. Flewellen.

Howard county—S. H. Cowan, T. G. Andrews, F. W. Heyne and T. W. Wampler.

Hall county—L. R. Dyer.

Hays county—W. F. Barbee.

Jones county—Rowan Green and L. M. Buie.

Jefferson county—J. W. Dorman.

Jack county—Thomas D. Sporer.

Johnson county—B. C. Jarrard.

Jackson county—Geo. A. Staples.

Jasper county—J. R. Faircloth, V. P. Huffman, G. W. Rawles and R. M. Sanders.

Kinney county—Geo. A. Doogan.

Kaufman county—W. H. Allen, Terrell; H. W. Kyser (in place of J. M. Reagan, resigned.)

Lamar county—Austin Pollard.

Leon county—Tom G. Nixon and Henry K. Farrar.

Lubbock county—C. B. Clark.

Lavaca county—O. C. Searcy.

Mitchell county—H. L. Bentley, Frank Lester, C. W. Merrill and J. E. Hooper.

McLennan county—G. W. Kincheloe (in place of R. H. Kingsbury, sr.), and Jas. I. Moore (in place of John T. Walton.)

Nolan county—J. Taylor Bradley, P. M. Thurmond and R. A. Ragland.

Nueces county—John M. Swisher, jr., J. W. Ward, F. E. MacMannur (McManus) and M. T. Gaffney.

Newton county—L. B. Clark, J. R. Lee, D. J. Lee, John Wright, Edd Farr and J. J. Windam.

Navarro county—A. B. Lee (in place of H. A. A. Halbert resigned.)

Nacogdoches county—H. V. Fall, J. N. Wilson and J. K. Lloyd.

Parker county—Chas. Soward and C. W. McGehee.

Panola county—B. D. Holland and J. A. Leslie.

Robertson county—J. J. Kendrick.

Shackelford county—George T. Reynolds; C. K. Stribbling and Peter Hart.

Smith county—R. K. Bradshaw.

Taylor county—S. P. Cunningham and K. V. Northington.

Tom Green county—Wendell Spence.

Tyler county—W. E. Rotan and T. D. Rock.

Waller county—Jno. M. Pinkney and D. A. Starkes.

Wise county—

Upshur county—Sterl Hart.

Young county—A. B. Gant.

Senator Shannon, chairman of Committee on Internal Improvements, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, April 11, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Internal Improvements, to whom was referred House bill No. 409, entitled "An act to make each of several common carriers, which unite to complete a line of transportation, the agent of all the others, and every person contracting with such common carriers, or any one of them, for carriage to accomplish the safe carriage and delivery of the goods, lumber, live stock, package or message, and liable for any damage to such goods, lumber, live